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10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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12 THE BOARD OF TRUSTEES, in their
capacities as Trustees of the LABORERS
13 HEALTH AND WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA;
LABORERS VACATION-HOLIDAY TRUST
FUND FOR NORTHERN CALIFORNIA;
LABORERS PENSION TRUST FUND FOR
14 NORTHERN CALIFORNIA; and LABORERS
TRAINING AND RETRAINING TRUST
FUND FOR NORTHERN CALIFORNIA,

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16 Plaintiffs,
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18 v.
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20 PREMIER BUILDERS INC., a California
Corporation,
21

22 Defendant.

No. 4:16-cv-04925-DMR

NOTICE OF DISMISSAL WITHOUT
PREJUDICE; REQUEST TO VACATE
CASE MANAGEMENT
CONFERENCE; [PROPOSED] ORDER

23 NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1),
24 Plaintiffs voluntarily dismiss the above-captioned action *without prejudice*. Said voluntary
dismissal without an order of the Court is appropriate, since Defendant has not filed an answer or
25 responsive pleading in this matter.

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1 A Case Management Conference has been scheduled for November 30, 2016 at 1:30 p.m.
2 With this Request for Dismissal, Plaintiffs also request that said Case Management Conference be
3 vacated.

4 Dated: October 27, 2016

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

5 By: /s/ Concepción E. Lozano-Batista
6 CONCEPCIÓN E. LOZANO-BATISTA
7 Attorneys for Plaintiffs

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9 **[PROPOSED] ORDER**

10 The parties have resolved this matter and requested that this Court maintain jurisdiction
11 over the case. IT IS HEREBY ORDERED that this case be dismissed pursuant to the foregoing
12 Order without prejudice. The Case Management Conference set for November 30, 2016 is
13 hereby vacated.

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15 Dated: 10/31/16

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